

### AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings in the application:

#### **Listing of Claims**

1. (Previously Presented) A quality rating tool comprising:
  - a listing of a plurality of entities, at least one entity being a type of health care provider;  
and
  - a measure indicating the frequency with which a level of dosing of medication was prescribed by an entity in the pluralities of entities, wherein the quality rating tool is used to select one entity for providing health care services to a health care consumer.
2. (Original) A quality rating tool as recited in claim 1 wherein the medication includes painkillers.
3. (Original) A quality rating tool as recited in claim 2 wherein the measure is derived from a number of prescriptions in which a predetermined amount by weight of painkillers is not exceeded.
4. (Original) A quality rating tool as recited in claim 3 wherein the predetermined dosage is four grams and the painkiller is acetaminophen (APAP).
5. (Original) A quality rating tool as recited in claim 1 wherein the level of dosing indicated is a safe level of dosing.
6. (Original) A quality rating tool as recited in claim 1 wherein an entity is a medical group.
7. (Original) A quality rating tool as recited in claim 1 wherein an entity is a hospital.
8. (Original) A quality rating tool as recited in claim 1 wherein the measure is categorized in a clinical measures category.
9. (Original) A quality rating tool as recited in claim 8 wherein the measure is further categorized in a patient safety category.

10. (Previously Presented) A quality rating tool comprising:

a listing of a plurality of entities, at least one entity being a type of health care provider;  
and

a measure indicating the frequency with which use of an antibiotic for treating a condition is prescribed by an entity in the plurality of entities, wherein the quality rating tool is used to select one entity for providing health care services to a health care consumer.

11. (Previously Presented) A quality tool as recited in claim 10 wherein the measure is an indication of a number of prescribed antibiotics where the prescribed antibiotics are medically accepted for initiating treatment of the condition.

12. (Original) A quality rating tool as recited in claim 10 wherein the condition includes bronchitis.

13. (Original) A quality rating tool as recited in claim 10 wherein the measure is derived from a number of preferred antibiotic prescriptions and a number of total antibiotic prescriptions for treating the condition.

14. (Original) A quality rating tool as recited in claim 10 wherein the entity is a medical group.

15. (Original) A quality rating tool as recited in claim 10 wherein the entity is a hospital.

16. (Original) A quality rating tool as recited in claim 10 wherein the measure is represented in the quality rating tool as a percentile ranking.

17. (Original) A quality rating tool as recited in claim 10 wherein the measure is categorized in a clinical measures category.

18. (Original) A quality rating tool as recited in claim 17 wherein the measure is further categorized in a patient safety category.

19. (Currently Amended) A quality rating tool comprising:

a listing of a plurality of entities, at least one entity being a type of health care provider;  
and

- a measure indicating the frequency with which appropriate diagnostic testing was performed when prescribing antibiotics for a condition, wherein the quality rating tool is used to select one entity for providing health care services to a health care consumer.
20. (Original) A quality rating tool as recited in claim 19 wherein the measure is an indication of a number of prescriptions that correspond with appropriate diagnostic testing.
21. (Original) A quality rating tool as recited in claim 19 wherein the measure is derived from a number of prescribed antibiotics that correspond with appropriate diagnostic testing and a number of patients with the condition.
22. (Original) A quality rating tool as recited in claim 21 wherein the condition includes pharyngitis.
23. (Previously Presented) A quality rating tool comprising:
- a listing of a plurality of entities, at least one entity being a type of health care provider;
  - and
  - a measure indicating the cost of health services and products incurred by a health care consumer obtaining health care services from an entity in the pluralities of entities, wherein the quality rating tool is used to select one entity for providing health care services.
24. (Previously Presented) A quality rating tool as recited in claim 23 wherein a measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating pharmaceutical costs incurred by the health care consumer.
25. (Previously Presented) A quality rating tool as recited in claim 23 wherein a measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating emergency medical costs incurred by the health care consumer.
26. (Previously Presented) A quality rating tool measuring the performance of a medical group from a plurality of medical groups, the quality rating tool comprising:
- a safe dosing of a medication measure;
  - a use of preferred antibiotics measure; and

an overuse of antibiotics measure, wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

27. (Original) A quality rating tool measuring the performance of a medical group from a plurality of medical groups, the quality rating tool comprising:

a member pharmaceutical cost measure; and

a member emergency services cost measure wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

28. (Previously Presented) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure.

29. (Previously Presented) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include use of preferred antibiotics measure.

30. (Previously Presented) A method of creating a quality rating tool in the health care industry, the method comprising:

selecting a unit of analysis which defines a granularity of the quality rating tool;

collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include an overuse of antibiotics measure.

31. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for selecting a unit of analysis which defines a granularity of the quality rating tool;

computer readable code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

computer readable code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure.

32. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for creating a listing of a plurality of entities, with at least one entity in the plurality of entities being a type of health care provider; and

computer readable code for deriving a measure indicating the frequency with which a dosing of a medication was prescribed by an entity in the plurality of entities, wherein the quality rating tool is used to select one entity for providing health care services to a health care consumer.

33. (Previously Presented) The article of manufacture as recited in claim 32 wherein the medication includes painkillers.

34. (Previously Presented) The article of manufacture as recited in claim 33 wherein the measure is derived from a number of prescriptions in which a predetermined amount by weight of painkillers is not exceeded.
35. (Previously Presented) The article of manufacture as recited in claim 34 wherein the predetermined amount by weight is four grams and the painkiller is acetaminophen (APAP).
36. (Previously Presented) The article of manufacture as recited in claim 32 wherein the dosing indicated is a safe level of dosing.
37. (Previously Presented) The article of manufacture as recited in claim 32 wherein one entity in the plurality of entities is a medical group.
38. (Previously Presented) The article of manufacture as recited in claim 32 wherein one entity in the plurality of entities is a hospital.
39. (Previously Presented) The article of manufacture as recited in claim 32 wherein the measure is categorized in a clinical measures category.
40. (Previously Presented) The article of manufacture as recited in claim 39 wherein the measure is further categorized in a patient safety category.
41. (Previously Presented) The article of manufacture as recited in claim 32 wherein the medication is an antibiotic.
42. (Previously Presented) The article of manufacture as recited in claim 41 wherein the measure further comprises an indication of a number of prescribed antibiotics where the prescribed antibiotics are medically accepted for initiating treatment of a condition.
43. (Previously Presented) The article of manufacture as recited in claim 42 wherein the condition includes bronchitis.
44. (Previously Presented) The article of manufacture as recited in claim 42 wherein the measure is derived from a number of preferred antibiotic prescriptions and a number of total antibiotic prescriptions for treating the condition.
45. (Previously Presented) The article of manufacture as recited in claim 42 wherein the measure comprises an indication of a number of prescriptions that correspond with appropriate diagnostic testing.

46. (Previously Presented) The article of manufacture as recited in claim 42 wherein the measure, is derived from a number of prescribed antibiotics that correspond with appropriate diagnostic testing and a number of patients with the condition.

47. (Previously Presented) The article of manufacture as recited in claim 42 wherein the condition includes pharyngitis.

48. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, comprising:

computer readable code for creating a listing of a plurality of entities, at least one entity being a type of health care provider; and

computer readable code for determining a measure indicating the cost of health services and products incurred by a health care consumer obtaining health care services from an entity in the plurality of entities, wherein the quality rating tool is used to select one entity for providing health care services.

49. (Previously Presented) The article of manufacture as recited in claim 48 wherein the measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating pharmaceutical costs incurred by the health care consumer.

50. (Previously Presented) The article of manufacture as recited in claim 48 wherein the measure indicating the cost of health services and products incurred by the health care consumer includes a measure indicating emergency medical costs incurred by the health care consumer.

51. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool measuring the performance of a medical group from a plurality of medical groups, the article of manufacture comprising:

computer readable code for determining a safe dosing of a medication measure;

computer readable code for determining a use of preferred antibiotics measure; and

computer readable code for determining an overuse of antibiotics measure, wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

52. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool measuring the performance of a medical group from a plurality of medical groups, the article of manufacturer comprising:

computer readable program code for determining a member pharmaceutical cost measure;  
and

computer readable program code for determining a member emergency services cost measure wherein the quality rating tool is used by a health care consumer in selecting an appropriate medical group.

53. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:

computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;

computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and

computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include a safe dosing of a medication measure.

54. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:

computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;



- computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and
  - computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include use of preferred antibiotics measure.
55. (Previously Presented) An article of manufacture comprising a program storage medium having computer readable program code embodied therein for creating a quality rating tool in the health care industry, the article of manufacturer comprising:
- computer readable program code for selecting a unit of analysis which defines a granularity of the quality rating tool;
  - computer readable program code for collecting data from a plurality of sources relating to a plurality of measures used in the quality rating tool; and
  - computer readable program code for calculating a score for a measure from the plurality of measures using data from the plurality of sources, wherein the measures include an overuse of antibiotics measure.
56. (New) A method comprising:
- providing a listing of a plurality of health care providers to a health-care consumer;
  - providing a plurality of measures, the measures indicating medication prescribing practices of each health-care provider of the listing;
  - providing a score for each of the plurality of measures, the score indicating a frequency and dose level for each measure in the plurality of measures; and
  - selecting at least one health care provider from the listing based on the provided score by the health-care consumer.
57. (New) The method of claim 56, where the measure comprises safe dosing of pain killers, use of preferred antibiotics, overuse of antibiotics, or any combination thereof.

58. (New) The method of claim 56 further comprising providing a cost of health service measure for each health care provider in the listing.

59. (New) The method of claim 58, where selecting at least one health care provider is based on the cost of health service measure.

60. (New) The method of claim 57 further comprising providing a cost of emergency service measure for each health care provider in the listing.

61. (New) The method of claim 60, where selecting at least one health care provider is based on the cost of emergency service measure.